

BARRY E. HINKLE, Bar No. 071223
 PATRICIA A. DAVIS, Bar No. 179074
 CONCEPCIÓN E. LOZANO-BATISTA, Bar No. 227227
 WEINBERG, ROGER & ROSENFELD
 A Professional Corporation
 1001 Marina Village Parkway, Suite 200
 Alameda, CA 94501-1091
 Telephone (510) 337-1001
 Facsimile (510) 337-1023

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

THE BOARD OF TRUSTEES, in their) No.	Case No. C 08 5791 BZ
capacities as Trustees of the LABORERS)	
HEALTH AND WELFARE TRUST FUND)	
FOR NORTHERN CALIFORNIA; LABORERS)	
VACATION-HOLIDAY TRUST FUND FOR)	EX PARTE APPLICATION FOR
NORTHERN CALIFORNIA; LABORERS)	CONTINUANCE OF CASE
PENSION TRUST FUND FOR NORTHERN)	MANAGEMENT CONFERENCE;
CALIFORNIA; and LABORERS TRAINING)	(PROPOSED) ORDER
AND RETRAINING TRUST FUND FOR)	
NORTHERN CALIFORNIA,)	
)	
Plaintiffs,)	
)	
v.)	
)	
DICKINSON CAMERON CONSTRUCTION)	
COMPANY, INC., a California Corporation,)	
)	
Defendant.)	

TO: THE CLERK OF THE COURT AND DEFENDANT DICKINSON CAMERON CONSTRUCTION COMPANY, INC., a California Corporation:

Pursuant to Civil Local Rule 7-10, Plaintiffs hereby request that the initial case management conference scheduled for April 6, 2009 be continued for forty-five days.

On December 31, 2008, Plaintiffs filed their Complaint in this matter. Defendant was served via substituted service on January 22, 2009. Thereafter, Defendant contacted Plaintiffs' counsel, Concepción Lozano-Batista, to request an extension of time to answer and to discuss

1 settlement of the case. On February 23, 2009 the parties filed a Stipulation to extend the time to
 2 answer Plaintiffs' Complaint to April 20, 2009. In the meantime, the parties have agreed to
 3 continue to discuss settlement of this matter. Defendant is in agreement with Plaintiffs' request to
 4 continue the date set for the CMC. In addition, Plaintiffs' counsel, Concepción Lozano-Batista
 5 will be on vacation from March 20, 2009 through April 17, 2009. Ms. Lozano-Batista has been the
 6 primary attorney in this case and is familiar with the particulars of the case.

7 The above stated facts are set forth in the accompanying declaration of Concepción E.
 8 Lozano-Batista in Support of Ex Parte Application to Continue Case Management Conference,
 9 filed herewith.

10 Dated: March 4, 2009

11 WEINBERG, ROGER & ROSENFELD
 12 A Professional Corporation

13 By: /s/
 14 CONCEPCIÓN E. LOZANO-BATISTA

119234/522644

15 **ORDER CONTINUING CASE MANAGEMENT CONFERENCE**

16 Based upon the foregoing Ex Parte Application for Continuance of Case Management
 17 Order and Declaration of Concepción E. Lozano-Batista in Support of Ex Parte Application to
 18 Continue Case Management Conference, the Court orders a continuance of the case management
 19 conference for forty-five days. In addition, the Court Orders:

20 **THE CASE MANAGEMENT CONFERENCE IS CONTINUED TO MONDAY, JUNE 1,
 2009 AT 9:00 A.M.**

21 DATED: March 4, 2009

22 
 23 HONORABLE BERNARD ZIMMERMAN
 24 JUDGE OF THE DISTRICT COURT